

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
OCTOBER 15, 2013
9:00 AM**

MINUTES

Commissioner's Present: Cheryl Sanders – Chairman, William Massey – Vice Chairman, Pinki Jackel, Noah Lockley, and Joseph Parrish

Staff Present: Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Morón – Deputy Clerk/Board Secretary

Call to Order (9:01 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (9:01 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes (9:02 AM)

There were no Minutes submitted for approval.

Payment of County Bills (9:02 AM)

Motion by Lockley, seconded by Massey, to approve the payment of the County's Bills as presented; Motion carried 5-0.

Department Supervisors Report

Howard Nabors – Superintendent of Public Works (9:03 AM)

Mr. Nabors stated that Road Department is behind on regular projects due to the transportation of milled asphalt. He updated the Board on interviews for the vacant positions in his Department.

The Board and Mr. Pierce discussed this matter further.

Fonda Davis – Solid Waste Director (9:05 AM)

Mr. Davis had no items requiring Board action.

Mr. Pierce discussed a small paving project needed at the Landfill.

The Board discussed and decided that they would like to put together a more comprehensive paving package before advertising for bids.

Nikki Millender – Parks & Recreation (9:07 AM)

Mrs. Millender asked for Board action to advertise publicly for a vacant position in the Parks and Recreation Department.

Motion by Massey, seconded by Jackel, to approve public advertising for a vacant position in the Parks and Recreation; Motion carried 5-0.

Pam Brownell – Emergency Management (9:08 AM)

Mrs. Brownell presented her report to the Board.

Mrs. Brownell asked for Board action to advertise for the vacant position in her department based on the language in Attorney Turner's recommendation.

Commissioner Lockley requested a copy of the job description and discussed the requirements with Mrs. Brownell.

Motion by Jackel, seconded by Massey, to approve for competitive advertising for the EOC Coordinator position; Motion carried 5-0.

Action Items: None

Information Items:

- 1. Working on solving Drainage Mitigation Issues.*
- 2. I will be attending the Local Emergency Preparedness Council meeting in Tallahassee on October 16th, 2013*
- 3. Working on putting together the Debris Monitoring Contracts.*
- 4. Still working with county attorney on Nuisance and Abatement Ordinance.*

Bill Mahan – County Extension Director (9:11 AM)

Mr. Mahan had no items requiring Board action but discussed items from his report.

Planning & Zoning Consent Agenda (9:13 AM)

Mr. Pierce presented items from the Planning & Zoning Consent Agenda.

CRITICAL SHORELINE REVIEW:

1-RECOMMENDED APPROVAL (Unanimous) Consideration of a request to construct a Single Family Private Dock at 1373 East Gulf Beach Drive, Lot 7, Tract 4, East End, St. George Island, Franklin County, Florida. The Dock will be 390' X 4' with a 20' X 6' Terminal Platform and (2) 20' X 11' Boatlifts. This application has State and Federal Permits and meets all county requirements. Request submitted by Garlick Environmental Associates, Inc, agent for Martin and Cynthia Falb, applicant. (Proposed House on Site Plan)

2-RECOMMENDED APPROVAL (Unanimous) Consideration of a request to construct a Single Family Private Pier at 1635 Forsythia Trail, Lot 9, Sandpiper Village, St. George Island, Franklin County, Florida. The Pier will be 261' X 4' with a 26' X 6' Terminal Platform. This application has State and Federal Permits and meets all county requirements. Request submitted by Garlick Environmental Agency, Inc., agent for Joseph S. Emert, Applicant. (Proposed House on Site Plan)

Motion by Massey, seconded by Jackel, to approve a request to construct a Single Family Private Dock at 1373 East Gulf Beach Drive on St. George Island and a request to construct a Single Family Private Pier at 1635 Forsythia Trail, Lot 9, Sandpiper Village, St. George Island; Motion carried 5-0.

SPECIAL EXCEPTIONS:

3-RECOMMENDED APPROVAL (Unanimous- Member Riegelmayr abstained from vote and discussion) Consideration of a request for Special Exception in the C-4 Commercial Mixed Use District to construct a 600,000 gallon ground storage tank, new pump station, and a chlorine building and related water system improvements and appurtenances on Lots 12-19, Block 3, Unit 1 West, St. George Island, Franklin County, Florida. Request submitted by Gene Brown, agent for the Water Management Services, Inc., applicant.

Motion by Massey, seconded by Lockley, to approve request for Special Exception in the C-4 Commercial Mixed Use District to construct a 600,000 gallon ground storage tank, new pump station, and a chlorine building and related water system improvements and appurtenances on Lots 12-19, Block 3, Unit 1 West, St. George Island; Motion carried 5-0.

Marcia M. Johnson- Clerk of Courts- Report (9:16 AM)

Mrs. Johnson presented her report to the Board.

1-For information, I just wanted to make you aware my office received the Certification of Final Taxable Value from the Property Appraiser's office, and there was a decrease of .16% in value from the value provided us to prepare the budget. As a result, at the millage rate you adopted, we'll collect less ad valorem, and that difference is \$16,723.

2-For information, below is the list of my office's holiday schedule for 2014:

New Year's Day	Wednesday, January 1, 2014
Martin Luther King's BD	Monday, January 20, 2014
Good Friday	Friday, April 18, 2014
Memorial Day	Monday, May 26, 2014
Independence Day	Friday, July 4, 2014
Labor Day	Monday, September 1, 2014
Veteran's Day	Tuesday, November 11, 2014
Thanksgiving Day	Thursday, November 27, 2014
Friday After Thanksgiving	Friday, November 28, 2014
Christmas Eve	Wednesday, December 24, 2014
Christmas Day	Thursday, December 25, 2014
Day After Christmas	Friday, December 26, 2014

3-I have some resolutions for adoption on unanticipated revenues as part of the end-of-the-year bookkeeping. This involves funds that weren't included in your initial budget last year because we didn't know at the time they would be received. The resolutions need to be adopted in order for the money to be appropriated and expended for the purposes it was received to comply with Florida Statute 129. The first resolution deals with \$43,820 received from the FL Dept of Transportation in grant funds for the payment of expenses relative to the construction of the Alligator Drive Multi-Use Path. We put the funds in the General Fund into account 001.20.572.6301, Alligator Drive Multi-Use Path. The second resolution deals with \$242,000 received from the FL Dept of Agriculture and Consumer Services, Office of Energy, in grant funds for the payment of expenses relative to the installation of energy efficient lighting at Vrooman Park. We put the funds in the General Fund into account 001.20.572.6303, Upgrades to Vrooman Park. The third resolution deals with \$72,331 received from the Gulf Coast Workforce Board for payment of expenses relative to the local workforce services program which provided workers for our parks and recreation. We put the funds in the General Fund into the following accounts:

001.70.572.1300 Parks & Recreation-Workforce Program Wages	\$65,890.00
001.70.572.2100 Parks & Recreation-Workforce Program FICA	\$ 5,041.00
001.20.511.3400 Other Contract Services-Drug Screening Service	\$ 1,400.00

RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated grant revenues in the amount of \$43,820.00 from the Florida Department of Transportation for the payment of expenses relative to the construction of the Alligator Drive Multi-Use Path, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2012-2013 and

WHEREAS, FS 129.06(2) (d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.20.572.6301 Alligator Drive Multi-Use Path \$43,820.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$43,820.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of OCTOBER 2013.

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$242,000.00 from the Florida Department of Agriculture and Consumer Services, Office of Energy for the payment of expenses relative to the installation of energy efficient lighting at Vrooman Park, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2012-2013 and

WHEREAS, FS 129.06(2) (d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.20.572.6303 Upgrades to Vrooman Park \$242,000.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$242,000.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of OCTOBER 2013.

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*RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS*

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$72,331.00 from the Gulf Coast Workforce Board for the payment of expenses relative to the Local Workforce Services Program, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2012-2013 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

*001.70.572.1300 Parks and Recreation - Workforce Program Wages \$65,890.00
001.70.572.2100 Parks and Recreation - Workforce Program FICA \$ 5,041.00
001.20.511.3400 Other Contract Services - Drug Screening Services \$ 1,400.00*

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$72,331.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 15th day of OCTOBER 2013.

Motion by Parrish, seconded by Massey, to approve the three Resolutions presented by Mrs. Johnson; Motion carried 5-0.

Chairman Sanders congratulated Mrs. Johnson on receiving the award for Most Influential Person in the County as stated by the local newspaper.

Alan Pierce – Director of Administrative Services – Report (9:20 AM)

Mr. Pierce presented his report to the Board.

1-Board action to sign Notice to Proceed for C.W. Roberts on the Bluff Road Project.

Motion by Parrish, seconded by Lockley, to approve the Chairman's signature on the Notice to Proceed for C.W. Roberts on Bluff Road Project; Motion carried 5-0.

2- Inform Board that Mr. Nick Wiley, FWC Executive Director, has responded to the Board's request for a change in days of harvesting oysters. The short answer is that because of the lack of oysters in the Bay, Mr. Wiley expects that the harvesting week will be shorten to five days a week, M-F, in the very near future. Mr. Wiley says that FWC will be working with the Board and the local community to determine how to manage the oyster harvest.

3- Inform Board that on Wed., Oct 9, I met with Lee Edmiston, Shannon Hartsfield, and representatives from DACS, to discuss where and what should be tested regarding the substrate in the western end of the Apalachicola Bay. The agreed scenario is this: there appears to be a strong spat set on the eastern end of the Bay, but that is not the case on the western end. While there is some spat in the Miles and Hagan's Flat oyster bars, it is not as prevalent as it is around Cat Point and East Hole. That is partly because there is a lack of mature oysters in the western end producing spat, but there has been a concern that the fossilized shell DACS was using in 2009 is somehow causing a problem. In order to rule out the substrate as a problem this is what we agreed to do. Lee Edmiston and the Reserve will organize a sampling trip and on the boat will be Shannon and some other seafood workers. The sites to be sampled will be: somewhere in the Miles, Hagan's Flat, Summerside, and then as a control site- Cat Point.

The substrate will be tested for the presence of oil, dispersant, and any other foreign factor that they find on the fossilized shells at the mine. The theory is that dust/mud on the fossilized shells used in the western Bay contained some contaminant that is leaching into the water and is contributing to the poor spat set. The first test will be to get unwashed shells at the mine and test them to see what they contain. After we know the materials contained in the unwashed shells from the mine then we will proceed to sample the substrate in the Bay.

The testing on the fossilized shell has to be done for another reason as well. If there is going to be extensive re-shelling of the oyster bars, and we all know that in order for the oyster industry to come back thousands and thousands of cubic yards of oyster shells need to be placed in the Bay, the only source of shell stock in enough quantity to do the job is the fossilized shell. Fossilized shells have been used before. Fossilized clams were used with great results after the 1986 hurricanes but those shells are no longer available.

4- Inform Board that the Governor and Cabinet approved a single lease to Mr. Andy Arnold for oyster aquaculture in the Apalachicola Bay on Thursday, Oct. 10. Mr. Cal Knickerbocker called me Friday to inform me of the action. Mr. Knickerbocker said Mr. Arnold wanted to move forward with his one lease and that DACS felt that the location of Mr. Arnold's lease was not in conflict with any natural occurring oyster bars. Mr. Knickerbocker said DACS would not consider any more leases without a full vetting of the issue with the Board and the industry.

5- Inform the Board that FEMA has reimbursed the county for the purchase of the four Secon Village lots on Alligator Point. The funds have gone back into the Bald Point Trust Fund. Preble-Rish is now seeking the DEP permit to construct a new road over those four lots. I hope to advertise for bids to build that section by Jan, 2014. We need to have all of the Alligator Point relocation and revetment project completed by June, 2014 as I am not sure FEMA will continue

to grant extensions. Some of these FEMA funds are 9 years old and if they are not expended FEMA has the authority to re-direct funds elsewhere.

If Capital City Bank continues to file lawsuits on stabilizing the revetment east of Tom Roberts it is possible the revetment will fail during a winter storm and the road will be damaged. There are no FEMA funds available if that road gets damaged. We only have funds to repair the revetment.

Chairman Sanders and Mr. Pierce discussed this issue with possible solutions for repairing the revetment.

6- The FRDAP program has contacted the county and advised us that only 2 projects may be submitted now. It was 3 but they restricted the program so that each county can only submit two projects. The Board action on which 2 projects it wants to submit. The projects are: D.W. Wilson Park, Kendrick Park, and Vrooman Park.

Commissioner Parrish was in favor of D.W. Wilson Park staying on the list.

Motion by Parrish, seconded by Lockley, to submit D.W. Wilson and Vrooman Park as projects for the FRDAP program; Motion carried 5-0.

7- Commissioner Jackel asked me to investigate grant opportunities through the Office of Greenways and Trails. A grant cycle is open through Oct. 31 for applications. The grant has a cap of \$75,000, and it has a matching requirement of 20%, and that match must be in cash or in-kind. I have reviewed possible projects and have advised Commissioner Jackel that the best project in her district for the funds available will be to seek funds to solve some existing drainage problems on the bike path on St. George Island. Since the bike path is within the ROW I believe her match requirements can be cash out of her district's share of road paving funds. Board action to allow for the submission of a \$75,000 grant to the Office of Greenways and Trails for improvements to the St. George Island Bike Path.

Motion by Jackel, seconded by Massey, to approve submission of a \$75,000 grant to the office of Greenways and Trails for improvements to the St. George Island Bike Path, with the match requirements being paid out of Commissioner Jackel's district share of road paving funds; Motion carried 5-0.

8- Hand out report prepared by Florida Dept. of Health. This report is a snapshot of where the state and its residents are regarding health. It is not specific to Franklin County.

9- Board direction on the installation of 4 speed humps on the Crooked River Road. As the Board may recall, residents of St. James Bay hired an engineer to do a traffic study because of the continuing complaints about speeders on the road. The engineer recommended the installation of 4 speed humps, which are low profile traffic calming devices, in specific areas in the St. James Bay Golf Course area. I have reviewed the report and visited the site with Mr. Clay Smallwood, Preble-Rish Engineers. The sites identified in the study are appropriate according to

Mr. Smallwood. The residents of St. James Bay are willing to pay for ½ the cost of installation if the county will pay for the other half. The total estimated cost for installation, including signage, is \$11,149, so each share will be approximately \$5600. Board direction.

The Board discussed this matter further.

Motion by Massey, seconded by Jackel, to approve installation of 4 speed humps and signage on Crooked River Road at St. James Bay at a cost of \$11,149, with the residents of St. James Bay paying half of the cost; Motion carried 5-0.

10- Airport Update. The Airport Advisory Committee met in a lengthy meeting on Monday, Oct. 7 to review the bids for the renovation of the hanger that Mr. Randall Terry is currently leasing, and to discuss other improvements at the airport. As the Board is aware, Mr. Terry has a lease paying \$500 a month for a building that needs renovation, and the low bid on the proposed renovation is \$348,000. While funds might be made available, they would come from other airport projects the Committee wants to get done. In the final analysis, the Committee recommends that Randall Terry lease Dan Garlick's building and hanger for \$1000/ month for 20 years. The lease fee would be reviewed every five years with a cap on increase of not more than 20%. Mr. Terry would not be able to sublease any part of the hanger or office without prior approval from the Board.

Mr. Randy Randolph would like to move into the building that Mr. Terry currently has leased. Mr. Randolph does not need all the improvements that Mr. Terry had requested so Mr. Lee Lewis, AVCON, is reviewing the bids to see if the \$94,000 of grant funds that were targeted for the hanger can be used to produce a building suitable for Mr. Randolph. Final lease payments were not agreed at the meeting. The Committee wants \$500/month, and Mr. Randolph thought that \$350/month was more reasonable.

Board direction on the lease with Mr. Terry.

(The lease for Mr. Randolph is open for discussion but does not need final action at this time as it depends on what improvements will be made with the grant funds available.)

Chairman Sanders expressed concerns of the change of the lease amount based on the Board's motion at the last Meeting.

Mr. Pierce explained the hangar issues that need to be resolved.

The Board discussed possible solutions to repairing the hangar in order to accommodate the lease holders and also setting lease amounts for both hangars.

Commissioner Parrish stated that one of the hangars is empty and suggested using that hangar for the storage of County equipment instead of leasing it for \$350 per month.

Chairman Sanders stated that in the future the Board should not make any decisions until the Airport Committee has forwarded a recommendation regarding the Airport.

Commissioner Lockley stated that the County should get more than \$1,000 a month for that building.

Commissioner Jackel suggested enforcing the six month temporary lease and then starting the lease approved by the Airport committee.

Motion by Parrish, seconded by Massey, to approve hangar lease with Mr. Terry as recommended by the Airport Committee in the amount of \$1,000 per month after the six month temporary lease in the amount of \$1,200 per month is completed and use the vacant hangar for the storage of the County equipment; Motion carried 5-0.

11- Inform the Board the DOT is required to update the functional classification of the state highway system in every county every ten years. I have been sent the draft functional classification for review electronically. The only change is that CR67 has been upgraded to a rural major road from a rural minor road. The upgrade means that CR67 would be eligible for Federal Highway funds if it ever got damaged by a hurricane. When it was a rural minor road it was only eligible for FEMA funds. If the new designation goes through then the road will be eligible for Federal Highway funds and DOT would assist in getting those funds. However, CR67 will still be a county owned and maintained road. All the other functional classifications of the other state roads in the county remain the same.

The Board and Mr. Pierce discussed this matter further.

Mr. Pierce stated that Senator Montford's Agriculture committee met this week and they are creating a report on the status of the Apalachicola Bay and is seeking input from the County, the City, and State agencies on what work has been done on the Bay. Mr. Pierce stated that he is in the process of creating a narrative that will state what action the County has been involved in regarding the Bay, especially after past hurricanes and storms.

Commissioner Massey asked for an update on the old Highway Patrol building in Eastpoint. Mr. Pierce provided some information on recent discussions with Mr. Curt Blair of the TDC. Commissioner Jackel stated that she was supposed to bring some numbers on that but she decided to wait and bring more definite numbers from the contractor. Commissioner Lockley asked for the potential use of this building and asked if what is going to be done at this location is done at the other welcome centers. Commissioner Massey stated that they planned to incorporate a museum and display pictures of Eastpoint. Chairman Sanders commented that this work would have to be bid out based on the numbers for construction.

Michael Shuler- County Attorney- Report (9:55 AM)

Attorney Shuler had no report for the Board.

Commissioners and Public Comments (9:55 AM)

Commissioner Jackel stated that Jay Abbott asked her to inform the Board that someone donated a boat to the Chili Cook-Off board that will be raffled off and the raffle tickets will be available in the near future.

Chairman Sanders commented on a meeting that she attended regarding the military's use of Tate's Hell. She stated that she will keep the Board informed of any new information.

Chairman Sanders reminded the Board of the Eastpoint Library Ribbon cutting ceremony on October 22, 2013 from 4:00 PM to 6:00 PM.

Cal Knickerbocker, of DACS, stated that his department will keep the communication lines open by attending more Board meetings. He updated the Board on some local actions by DACS. Commissioner Parrish commented on the time line of receiving data and recommendations from the ongoing studies.

Commissioner Lockley and Mr. Knickerbocker discussed the lease that was recently approved and also the aquaculture leases.

Chairman Sanders and Mr. Knickerbocker discussed what role the local government's opinion will play in decisions made by DACS in the future.

Bobby James stated that his property adjoins the property where Gene Brown will construct the new water well and expressed some concerns.

Mr. Pierce discussed the project with Mr. James.

Mr. Pierce and Mr. Knickerbocker discussed the new building for the aquaculture office. Commissioner Lockley stated that the County is interested in the building currently used by his division once it is vacated.

Motion by Lockley, seconded by Massey, to send a letter to DACS requesting the use of the building that currently houses the DACS offices once it is vacated; Motion carried 5-0.

Chairman Sanders reminded the Board of the upcoming NWFTCA meeting.

Adjourn (10:08 AM)

There being no further business, Chairman Sanders adjourned the Meeting.

Cheryl Sanders, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts